

13880. Adulteration of cumin seed. U. S. v. 2 Bags, etc. (F. D. C. No. 25006. Sample No. 18967-K.)

LIBEL FILED: July 7, 1948, Northern District of Ohio.

ALLEGED SHIPMENT: On or about February 26, 1948, from New York, N. Y.

PRODUCT: Cumin seed. 2 bags, each containing 108 pounds, and 1 bag, containing 40 pounds, at Cleveland, Ohio.

NATURE OF CHARGE: The article was adulterated while held for sale after shipment in interstate commerce under Section 402 (a) (3), in that the article consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta, beetles, and larvae.

DISPOSITION: August 18, 1948. Default decree of condemnation and destruction.

13881. Adulteration of yellow mustard seed. U. S. v. 137 Bags * * *. (F. D. C. No. 25199. Sample No. 18970-K.)

LIBEL FILED: July 23, 1948, Northern District of Ohio.

ALLEGED SHIPMENT: On or about December 9, 1947, by the Lompoc Produce Co., from Sunburst, Mont.

PRODUCT: 137 100-pound bags of yellow mustard seed at Medina, Ohio.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of larvae and rodent excreta.

DISPOSITION: August 12, 1948. The H. W. Madison Co., Medina, Ohio, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for cleaning, under the supervision of the Federal Security Agency.

13882. Adulteration of salt. U. S. v. 52 Bags, etc. (F. D. C. No. 25151. Sample Nos. 3584-K, 3585-K.)

LIBEL FILED: August 2, 1948, District of Maryland.

ALLEGED SHIPMENT: On or about December 12, 1947, from Port Huron, Mich.

PRODUCT: 152 50-pound bags of salt at Baltimore, Md., in possession of B. Green & Co.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta and rodent hair fragments; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 7, 1948. Default decree of condemnation. The product was ordered delivered to a municipal institution, for animal use.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

13883. Adulteration and misbranding of Cal-Par. U. S. v. Hood Products Corporation and Charles H. Fingerhood. Pleas of guilty. Fine of \$1,000 against defendants jointly. (F. D. C. No. 6504. Sample No. 61018-E.)

INFORMATION FILED: April 6, 1944, Southern District of New York, against the Hood Products Corp., New York, and Charles H. Fingerhood, an officer of the corporation.

ALLEGED SHIPMENT: Between May 10 and 14, 1941, from the State of New York into the State of Washington.

PRODUCT: Microscopic examination showed that the product contained wheat germ, wheat bran, wheat flour, and crystalline material. It contained also compounds of calcium and iron.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, phosphorus, had been in whole or in part omitted or abstracted from the article.

Misbranding, Section 403 (a), certain statements in the labeling of the article were false and misleading.

The information alleged also that the labeling of the article misbranded the product under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 2517, in which is set forth the nature of the false and misleading claims.

DISPOSITION: October 8, 1948. Pleas of guilty having been entered, the defendants were jointly fined \$1,000.

13884. Adulteration and misbranding of Formula 80 tablets and Formula 444 tablets. U. S. v. William G. Eckert (William G. Eckert—Enzyme Therapys). Plea of nolo contendere. Fine, \$400. (F. D. C. No. 24831. Sample Nos. 36436-K, 36439-K.)

INFORMATION FILED: August 12, 1948, Southern District of California, against William G. Eckert, trading as William G. Eckert—Enzyme Therapys, Los Angeles, Calif.

ALLEGED SHIPMENT: On or about August 18 and December 23, 1947, from the State of California into the State of Oregon.

NATURE OF CHARGE: Formula 80 tablets. Adulteration, Section 402 (b) (1), a valuable constituent of the article, niacinamide, had been in part omitted and abstracted, in that each tablet was represented to contain one milligram of niacinamide, whereas one tablet of the article contained less than one milligram of niacinamide. Misbranding, Section 403 (a), the label statement "Each tablet contains Niacinamide 1 Mg." was false and misleading. Further misbranding, Section 403 (a), the statements "Each tablet contains * * * Hydrolyzed Natural Plant Proteins containing approximately the following composition of Amino Acid Salts: Alanine 9.8%, Proline 9.0%, Crystine 1.2%, Methionine 2.0%, Arginine 1.5%, Hystidine 0.8%, Lysine 0.1%, Phenylalanine 6.6%, Tryosine, 2.6%, Threonine 3.0%, Valine 1.9%, Leucine 19.6%, Isoleucine 3.7%, Aspartic Acid 1.7%, Glutamic Acid 24.1%" and "Each tablet contains one half gram of the natural hydrolyzed plant proteins as listed on front label which are known to be needed for growth and tissue maintenance, in a natural form and supply 62.50% of amino acid salts as listed" were false and misleading. The statements represented and suggested that the article would supply nutritionally significant amounts of hydrolyzed protein and amino acids, whereas the article would not supply nutritionally significant amounts of hydrolyzed protein and amino acids.

Formula 444 tablets. Adulteration, Section 402 (b) (1), a valuable constituent of the article, iron, had been in part omitted and abstracted therefrom since each tablet was represented to contain 10 milligrams of iron, whereas one tablet of the article contained less than 10 milligrams of iron. Misbranding, Section 403 (a), the label statement "Each tablet contains Iron (Iron Tartrate) 10 Mgs." was false and misleading.